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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ludwig ZORN et al.

Serial No.: 10/625,559

Group Art Unit: 1174

Filed: 24 July 2003

Examiner: Unknown

For: MICROBIOLOGICAL PROCESS FOR THE PRODUCTION OF 7 α -SUBSTITUTED 11 α -HYDROXY STEROIDS, 7α ,17 α -SUBSTITUTED 11 β -HALOGEN STEROIDS THAT CAN BE PRODUCED THEREFROM, THEIR PROCESS FOR PRODUCTION AND USE AS WELL AS PHARMACEUTICAL PREPARATIONS THAT CONTAIN THESE COMPOUNDS, AS WELL AS 7α -SUBSTITUTED ESTRA-1,3,5(10)-TRIENES THAT CAN BE PRODUCED THEREFROM

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents R.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

under § 1.53(d); within three months of the actual filing date of the national phase of a lapplication; OR		37 C.F.R. § 1.97(b), no fee or statement is required for filing this information sure statement is filed:
application; OR		within three months of the filing date of a national application other than a CPA under § 1.53(d);
RCE). Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the per specified in 37 C.F.R. § 1.97(b), but before the mailing date of:		within three months of the actual filing date of the national phase of a PCT application; OR
specified in 37 C.F.R. § 1.97(b), but before the mailing date of:	\boxtimes	before the mailing of a first substantive office action (including after filing of an RCE).
a final rejection under 37 C.F.R. 1.113;		
		a final rejection under 37 C.F.R. 1.113;

		L	termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
			a notice of allowance under 37 C.F.R. § 1.311; and
		is acco	empanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
			R. § 1.97(d), this information disclosure statement is filed after the mailing lowing actions which have not been withdrawn:
			a final action under 37 C.F.R. § 1.113;
			termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
			a notice of allowance under 37 C.F.R. § 1.311;
	AND i	is filed	on or before payment of the issue fee; AND is accompanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).
Staten	nents Ur	nder 37	C.F.R. 1.97(e)
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
	·		No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.
Cited	<u>Materia</u>	<u>ls</u>	
		ancest	of materials listed but not attached were cited in benefit (35 U.S.C. § 120) or application Serial No, on Form 892 by the Examiner and/or Form by the applicant; see 37 C.F.R. § 1.98(d).

Copies of the materials listed are attached (except for the foregoing). Non-English Language References		\boxtimes	Copies of materials listed but not attached were cited in an international search report dated 14 May 04.					
An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s). A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below: X = document of particular relevance when it is taken alone Y = document of particular relevance when it is combined with another such document A = document defining the general state of the art O = non-written disclosure P = intercalated document T = document cited to understand the theory or principle underlying the invention E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date D = cited in the application L = cited for another reason & = publication of member of same patent family Translation of other relevant information on foreign search report In the search report, "Seite" means page, "Seiten" means pages, "Verbindungen der Formel" means Figure of formula, "Beispele" means examples, and "das ganze Dokument" means the entire document, "Spalte" means column, "Zeile" means line, "Abbildungen" means caliams, "Anspruch" means example, "Zusammenfassung" means summary, and "Tabelle" means table, and "Tabellen" means tables "in der Anmeldung erwaehnt" means cited in the application, "Schema" means scheme, "und" means and, "Absatz" means break, "Abildung" means figure. Other Information			Copies of the materials listed are attached (except for the foregoing).					
office is provided indicating the relevance of the cited reference(s). A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below: X = document of particular relevance when it is taken alone Y = document of particular relevance when it is combined with another such document A = document defining the general state of the art O = non-written disclosure P = intercalated document T = document cited to understand the theory or principle underlying the invention E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date D = cited in the application L = cited for another reason & = publication of member of same patent family Translation of other relevant information on foreign search report In the search report, "Seite" means page, "Seiten" means pages, "Verbindungen der Formel" means Figure of formula, "Beispele" means examples, and "das ganze Dokument" means the entire document, "Spalte" means column, "Zeile" means line, "Abbildungen" means claims, "Anspruch" means example, "Zusammenfassung" means summary, and "Tabelle" means table, and "Tabellen" means tables "in der Anmeldung erwaehnt" means cited in the application, "Schema" means scheme, "und" means and, "Absatz" means break, "Abildung" means figure. Other Information	Non-E	English 1	Language References					
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Respectfully submitted,

Anthony J. Zelano, Reg. No. 27,969 Attorney for Applicants

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Attorney Docket No.: SCH-1915

Date: 28 May 2004

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Complete if Known Substitute for form 1449A/PTO 10/625,559 Application Number INFORMATION DISCLOSURE 24 July 2003 Filing Date Ludwig ZORN et al. STATEMENT BY APPLICANT First Named Inventor 1174 Group Art Unit (use as many sheets as necessary) Unknown **Examiner Name** SCH-1915 Sheet of Attorney Docket Number

U.S. PATENT DOCUMENTS								
		U.S. Patent Doc			Date of Publication of Cited Document			
Examiner Initials *	Cite No.1	Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	MM-DD-YYYY			
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Examiner Initials*	Cite No.1	Office ³	Number ⁴	Kind Code⁵ (if known)	Name of Patentee or Applicant of Cited Document	MM-DD-YYYY	Passages or Relevant Figures Appear	. T ⁶
	1	wo	9721830		Akzo Nobel N.V.	06-19-1997		
	2	wo	02059139		Rolf BOHLMANN et al.	08-01-2002		
	3	wo	9913812		Population Council Inc.	03-25-1999		
	4	wo	2004/011008		Schering AG	02-05-2004		
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					Application Number	10/625,559	-
				CLOSURE	Filing Date	24 July 2003	
	STATI	EMENT B	SY AF	PLICANT	First Named Inventor	Ludwig ZORN et al.	
					Group Art Unit	1174	
	(ı	use as many sh	eets as	necessary)	Examiner Name	Unknown	
_	Sheet	2	of	2	Attorney Docket Number	SCH-1915	

		NON PATENT LITERATURE DOCUMENTS							
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.							
	4	TAN L ET AL., "Interactions of Steroids and Fungi. 11 Alpha-hydroxylation and Degradation. of Progestrone-4-C by a Cell-free Preparation from Aspergillus Ochraceus," Journal of Steroid Biochemistry, 1 September 1970, pages 221-227, vol. 1, no.3, XP000671122, ISSN: 0022-4731, the entire document, Pergamon Press PLC, GB.							
	5	SHIBAHARA M ET AL., "Microbial Hydroxylations V. lialpha-hyroxylation of Progestrone by cell-free preparations of Aspergillus Ochraceus," Biochimica Et Biophysica Acta, 1970, pages 172-179, vol. 202, XP009023368, ISSN: 0006-3002, the entire document, Amsterdam, NL.							
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